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common terminology, as the "port of Portland," and municipal "zones."

Such excellent titles as the ones Mr. Laski uses, should long ago have been copyrighted by the public and kept protected until an applicant could prove that a sufficient public use was involved in his prospective "taking" of them.

Frederic P. Lee

CONSTITUTIONAL POWER AND WORLD AFFAIRS. By GEORGE SUTHERLAND. New York: COLUMBIA UNIVERSITY PRESS. 1919. pp. 202.

The war and treaty-making powers of the United States, and their relationship to constitutional safeguards and the reserved powers of the states, are subjected to close analysis in this series of eight lectures delivered at Columbia University during 1918, on the George Blumenthal foundation, by former Senator Sutherland. The interest of the study is in its peculiar timeliness. The extent to which the treaty clause increases the powers of the Federal Government beyond those specifically enumerated in the Constitution, and to which it authorizes entry upon a field of legislation otherwise reserved to the police functions of the several states, has been determined neither by the Constitution itself nor by the courts. Its importance is indicated by the fact that the provisions of the Treaty of Peace with Germany, relative to labor and opium, respectively, involve an exercise of police power, which, except for the treaty provision, would clearly be *ultra vires* of the Federal Government. If, then, the exercise of these powers is upheld under the treaty clause, the police power will be augmented at a time when the decision in the Child Labor Case threatened greatly to circumscribe it.

The war power, Mr. Sutherland believes, is supreme over all other constitutional provisions, and is limited only by the urgency of the exigency in which its application is invoked. While he concedes that the treaty-making power is not limited by powers specifically accorded to the Federal Government, he feels that it cannot be exercised in contravention of constitutional inhibitions. It would appear, however, that the same argument of expediency is applicable as in the case of the war power, and that, after a disastrous war, the treaty stipulation of provisions in contravention of the Constitution, such as articles giving a foreign power temporary control over American trade and industries, might be necessary for the preservation of the state. That the Supreme Court, under such circumstances, would hold the treaty invalid, appears hardly likely.

Mr. Sutherland's interpretation of the attitude which Congress should assume in considering a treaty negotiated by the executive, which is akin to that adopted by the courts in passing upon an exercise of state or municipal police power, is peculiarly pertinent, as is his comment on the right of Congress to pry into the minutes of the actual negotiations preceding the treaty. The writer is to be congratulated equally upon the modern interest of the book, the thorough manner in which he considers the problems presented, and the

inartificial and readily comprehensible manner in which they are treated.

BOOKS RECEIVED:

THE RENOVATION OF INTERNATIONAL LAW. By PROF. DR. D. JOSEPHUS JITTA. The Hague: MARTINUS NIJHOFF. 1919. pp. xiv, 196.

BUSINESS LAW. By ALFRED W. BAYS. New York: THE MACMILLAN CO. 1919. pp. iv, 311.

THE STORY OF MY LIFE. By HON. SIR EDWARD CLARKE. New York: E. P. DUTTON & CO. 1919. pp. viii, 439.

INDIRECT ENCROACHMENT ON FEDERAL AUTHORITY BY THE TAXING POWERS OF THE STATES. By THOMAS REED POWELL. Reprinted from the Harvard Law Review, Vols. XXI and XXXII. New York: NATIONAL TAX ASSOCIATION. 1919.

SELDEN SOCIETY. SELECT CASES BEFORE THE KING'S COUNCIL. 1243-1482. Edited by I. S. LEADAM and J. F. BALDWIN. Cambridge: HARVARD UNIVERSITY PRESS. 1918. pp. cxii, 156.

REASONED SETTLEMENT OF INTERNATIONAL DISPUTES. Composition of the Court. By GEORGE T. PORTER. New York: OXFORD UNIVERSITY PRESS. 1919. pp. 14.

GERMAN LEGISLATION FOR THE OCCUPIED TERRITORIES OF BELGIUM. Edited by CHARLES H. HUBERICH and A. NICOL-SPEYER, Seventeenth Series. Index to Series XIV-XVII. The Hague: MARTINUS NIJHOFF. 1919. Seventeenth Series. pp. 151; Index pp. 29.

LEGAL RECOGNITION OF INDUSTRIAL WOMEN. By ELEANOR L. LATTIMORE and RAY S. TRENT. New York: INDUSTRIAL COMMITTEE WAR WORK COUNCIL OF THE NATIONAL BOARD, YOUNG WOMEN'S CHRISTIAN ASSOCIATION. 1919. pp. xiv, 91.

JOURNAL OF COMPARATIVE LEGISLATION AND INTERNATIONAL LAW. Third Series—Vol. I, Part III. London: SOCIETY OF COMPARATIVE LEGISLATION. 1919. pp. iv, 268.

THE WORKMEN'S COMPENSATION LAWS OF VIRGINIA AND WEST VIRGINIA. Annotated and Indexed by JAMES F. MINOR. Charlottesville, Va.: THE MICHEL COMPANY, Law Publishers, 1919. pp. xci, 691.

CASES ON NEGOTIABLE INSTRUMENTS. Supplementary to Ames' Cases on Bills and Notes. By ZACHARIAH CHAFEE, Jr. Langdell Hall, Cambridge. Published by the Editor, 1919. pp. v, 106.